

**ORIGINAL**

UNITED STATES OF AMERICA  
Before The  
POSTAL RATE COMMISSION  
WASHINGTON, D.C. 20268-0001

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POSTAL RATE COMMISSION  
OFFICE OF THE SECRETARY

Classification and Fees for Weight-Averaged ) Docket No. MC99-2  
Nonletter-Size Business Reply Mail )

OFFICE OF THE CONSUMER ADVOCATE  
PROPOSED PROCEDURAL SCHEDULE  
(April 7, 1999)

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The Office of the Consumer Advocate (OCA), pursuant to discussion at the prehearing conference on April 6, 1999, hereby files for consideration by the Presiding Officer the attached proposed procedural schedule for Docket No. MC99-2.

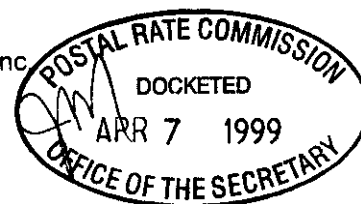
At the prehearing conference, undersigned counsel stated that upon consultation with the parties participating in the settlement conference of the same day, the Postal Service and DYMS<sup>1</sup> (the film processors), OCA would file proposed procedural dates necessary in the event there is no settlement of the issues in Docket No. MC99-2.

The attached schedule has been compiled with the concurrence of the Postal Service and DYMS, and takes into account counsels' various potential scheduling conflicts through June 15.

Also, as indicated on the Attachment in the note for June 8, there is the possibility that even if hearings on the Postal Service's direct case are necessary, but no party files an indication of an intent to file a case-in-chief responsive to the Postal

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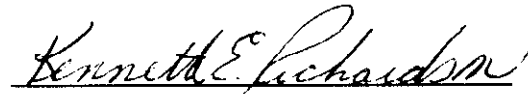
<sup>1</sup> District Photo, Inc., York Photo Labs, Mystic Color Labs, and Seattle FilmWorks, Inc.



Service, the Presiding Officer will then have the opportunity to establish earlier dates for briefing. In that case, the matter could be submitted to the Commission as early as July. Thus, even if there is a hearing on the Postal Service case, a commission decision on the permanent classification proceeding could be practicable within a 5 or 6 month timeframe.

Respectfully submitted,

OFFICE OF THE CONSUMER ADVOCATE

A handwritten signature in cursive script, appearing to read "Kenneth E. Richardson", is written over a horizontal line.

Ted P. Gerarden  
Director

Kenneth E. Richardson  
Attorney

## ATTACHMENT

OFFICE OF THE CONSUMER ADVOCATE  
PROPOSED HEARING SCHEDULE  
WEIGHT-AVERAGED NON-LETTER BUSINESS REPLY MAIL  
Docket No. MC99-2

May 14, 1999	Completion of discovery on the Postal Service's direct case
May 21, 1999	Identify expected amount of oral cross-examination. Report on the availability of witnesses
June 2-3, 1999	Hearings for cross-examination of the Postal Service's direct case (9:30 a.m. in the Commission hearing room)
June 8, 1999	Indication by participants of intent to file testimonial evidence. If no intent is indicated, Presiding Officer to establish expedited briefing dates
June 15, 1999	Filing of the case-in-chief of each participant, including rebuttal to the Postal Service
July 2, 1999	Completion of discovery directed to intervenors and the OCA
July 6, 1999	Identify expected amount of oral cross-examination. Report on the availability of witnesses
July 8-9, 1999	Evidentiary hearings on the cases-in-chief of intervenors and the OCA (9:30 a.m. in the Commission hearing room)
July 19, 1999	Filing of evidence in rebuttal to the cases-in-chief of participants other than the Postal Service (no discovery permitted on this rebuttal evidence; only oral cross-examination)
July 23, 1999	Completion of discovery directed to the Postal Service

July 27, 1999	Hearings on rebuttal to participants' direct evidence (9:30 a.m. in the Commission hearing room)
August 13, 1999	Filing of initial briefs
August 20, 1999	Filing of reply briefs

CERTIFICATE OF SERVICE

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I hereby certify that I have this date served the foregoing document upon all participants of record in this proceeding in accordance with section 12 of the rules of practice.

  
KENNETH E. RICHARDSON  
Attorney

Washington, D.C. 20268-0001  
April 7, 1999